



Air Managers Committee/State Caucus

Regional Haze/WRAP Activity Update

June, 2005

EPA issues final BART Rule-Additional Rulemaking to Follow

This rule was issued June 15th, pursuant to a consent decree between EPA and Environmental Defense. It addressed the American Corngrowers decision that invalidated EPA's approach to deciding which sources are reasonably anticipated to contribute to regional haze. The Corngrowers ruling **rejected EPA's "group BART"** methodology for assessing visibility impacts. The court also ruled that the rule **failed to allow adequate state discretion** in making BART determinations and lack of a process by which States can exempt individual sources from the BART analysis. The court **affirmed** states' option to adopt **alternative strategies** in lieu of BART, if they were demonstrated to be more effective than BART in meeting the reasonable progress goal.

The new rule provides **three options** for determining which BART-eligible sources are subject to BART:

- ✓ Individual source assessment, using EPA approved model;
- ✓ Cumulative assessment of all BART-eligible sources, all or none
- ✓ Assessment based on model sources

States will have considerable discretion which option to choose for determining which sources are subject to BART. The new rule requires **mandatory BART analysis**, using **presumptive SO₂ and NO_x emission limits for EGUs >750 MW**. The new rule also includes re-analysis **supporting its determination** that Clean Air Interstate Rule (**CAIR**) is **"better than BART"** in the **CAIR states**.

See the Federal Register version at: ([Click Here](#))

Fact Sheet [PDF](#)

EPA Summary/Briefing [PDF](#) or [PPT](#)

EPA earlier committed to **November 8th 2005** to take final action to address a second court decision (CEED vs. EPA). It is expected that a rule proposal will be forthcoming in July that will provide **guidance** for states that elect to fulfill their NO_x and SO₂ BART requirements through **alternative** means, usually thought to be a **cap-and-trade program** for NO_x and SO₂.

Attribution of Haze Joint Phase II/Technical Support System (TSS)

The Attribution of Haze Workgroup is planning over the next 15 months to jointly complete the Phase II AoH analysis project and develop a "Technical Support System." The TSS will be designed to display the regional analytical "weight-of-evidence" products and supporting information on a website. The

idea is that the TSS will be the basis of the Technical Support Document for SIP and TIP submittals. The Implementation Workgroup will be evaluating this concept, and will be reviewing it for usefulness throughout its development. This project should be completed in third quarter of 2006.

Western Governor's Association adopts resolutions affecting WRAP

At its June meeting, the WGA adopted a number of resolutions, two of which relate to regional haze rulemaking, the WRAP's role to assist states with their regional haze SIP's, working with EPA on BART, and sharing information on global climate change initiatives in the West. These resolutions can be seen at: ([Click Here](#) for WGA WRAP workplan) ([Click Here](#) for Air Quality Resolution)

2002 and Projected 2018 Fire Emissions Inventories Underway

A contract was recently awarded to Air Sciences to complete the fire emissions inventory work, including 2018 projections. The general approach to estimate future fire activity will use several reasonable scenarios to give high, medium, low levels. Projected effects of climate change may also inform the process. See the status report at: ([Click Here](#)). The project is scheduled for completion in September 2005.

There are still issues surrounding the guidance on categorizing "Escaped Prescribed Fire." These are being resolved in coordination with EPA to avoid approval problems when SIPs and TIPs are reviewed.

Other work of the Fire Emissions Joint Forum is to complete guidance packages on 1.) Regional Coordination of fire planning and operations between states, states-tribes, and states-FLMs; 2.) Emission Reduction Techniques; and 3.) Smoke Emissions Tracking System.

WRAP Letter to EPA Encouraging Locomotive and Marine Vessel Standards

A recently-sent WRAP letter to EPA Administrator Johnson urging final action on locomotive and marine vessel emission standards can be seen at: ([Click Here](#))

Regional Modeling Center Status to Evaluate BART-Eligible Sources

The RMC has a placeholder task to use CalPuff and/or a regional modeling approach (CAMx w/ PSAT) to perform a limited number of evaluations of BART-eligible sources as needed, pending guidance from WRAP Air Managers.